

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-6 and 8-20 are presently active in this case. The present Amendment amends Claims 1-6 and 8-11; cancels Claim 7 and adds Claims 12-20.

The outstanding Office Action objected to the abstract because of informalities. Claims 5-11 were objected to because of improper multiple dependencies so that these claims were not further treated on the merits. Claims 1-4 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-4 were rejected under 35 U.S.C. § 102(b) as anticipated by Rowe (U.S. Patent No. 2,514,798). Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Park et al. (U.S. Patent No. 6,170,786). Claims 1-3 were rejected under 35 U.S.C. § 102(b) as anticipated by Park et al. (EP 0 869 060). Claims 1-4 were rejected under 35 U.S.C. § 102(b) as anticipated by Dryburgh et al. (GB 2,362,095). Claims 1-3 were rejected under 35 U.S.C. § 102(e) as anticipated by Ludeke et al. (U.S. Patent Publication No. 2003/0085597). Claims 1-4 were rejected under 35 U.S.C. § 102(e) as anticipated by Beroth et al. (U.S. Patent No. 6,692,069).

In response to the objection to the Abstract, the Abstract is amended to correct the noted informalities and to comply better with U.S. practice.

In response to the objection to the claims, the claims are amended to remove the multiple dependencies and to comply better with U.S. practice.

In light of their formal nature, the changes to the Abstract and claims do not raise a question of new matter.

In order to clarify Applicant's invention, Claim 1 is amended to recite the features from Claim 7 by requiring that the claimed guide mechanism includes at least two substantially vertical rails. Thus, Claim 7 is canceled.

In order to vary the scope of protection recited in the claims, new dependent Claims 12-20 are added. New Claims 12-20 find non-limiting support in the disclosure as originally filed, for example in original Claims 1-2; at page 5, lines 5-7; from page 7, line 5 to page 9, line 2- and in Figs. 1-9. Therefore, the changes to the claims are not believed to raise a question of new matter.¹

In response to the rejection under 35 U.S.C. § 112, second paragraph, the claims are amended to correct the noted informalities. In view of the amended claims, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

In response to the rejections of Claims 1-4 under 35 U.S.C. § 102, Claim 1 having been amended to include the limitations of Claim 7, these rejections are now moot. Further, the applied prior art is not believed to disclose the combination of features now recited in amended Claim 1, nor the combinations of the dependent claims. For example, the applied prior art fails to disclose a convertible seat for an aircraft that includes a guide mechanism with at least two substantially vertical *rails* that guide at least one armrest in a translatory movement in a substantially vertical direction, wherein the guide mechanism guides the armrest between an initial position in which a top surface of the armrest projects above a sitting surface and a second retracted position in which the top surface of the armrest is substantially flush with a substantially horizontal surface of a portion adjacent to the armrest or is below the substantially horizontal surface.

¹ See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

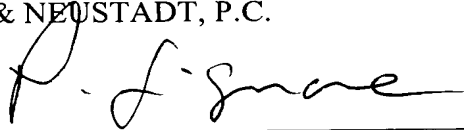
Further, the applied prior art fails to disclose a seat wherein, in a bed position and in a retracted position of the armrest, the top surface of the armrest is substantially horizontal and flush *with the back surface* of the back portion of the seat, as required by Claim 2, in combination with the other features of Claim 2.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-6 and 8-20 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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